

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Timothy D Tatsak Jr**  
**April L Tatsak**  
Debtor(s)

Bankruptcy Case No.: 14-24264-CMB  
Issued Per Mar. 16, 2017 Proceeding  
Chapter: 13  
Docket No.: 178 – 170, 176  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 24, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,984 as of April 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Department of Revenue at Claim No. 2 .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: March 21, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

## Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court  
Western District of PennsylvaniaIn re:  
Timothy D Tatsak, Jr  
April L Tatsak  
DebtorsCase No. 14-24264-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel  
Form ID: 149Page 1 of 2  
Total Noticed: 47

Date Rcvd: Mar 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 23, 2017.

db/jdb  
cr +Timothy D Tatsak, Jr, April L Tatsak, 144 Church Rd, Rural Valley, PA 16249-2202  
+Ally Financial, Tucker Arensberg, P.C., c/o Brett A. Solomon, Esquire, 1500 One PPG Place,  
Pittsburgh, Pa 15222-5413  
cr +Equitable Gas Bankruptcy Department, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor,  
Pittsburgh, PA 15212-5860  
13944076 +AES/PHEAA-KEYCON, 1200 N 7th ST, Harrisburg, PA 17102-1419  
13984198 American Express Centurion Bank, c/o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701  
13944079 +Barclays Bank Delaware, 125 S West St, Wilmington, DE 19801-5014  
13944080 +Best Buy/CBNA, PO Box 6497, Sioux Falls, SD 57117-6497  
13944082 +CHASE BANK USA, PO Box 15298, Wilmington, DE 19850-5298  
13944083 +COMENITY BANK/Buckle, PO Box 182789, Columbus, OH 43218-2789  
13944081 +Capital One Auto Finance, PO Box 259407, Plano, TX 75025-9407  
14261478 +Chrysler Capital, P.O BOX 961278, Fort Worth, TX 76161-0278  
13944084 +Comenity Bank/Petland, PO Box 182789, Columbus, OH 43218-2789  
13944085 +Comenity Bank/VCTR SSEC, PO Box 182789, Columbus, OH 43218-2789  
13953614 +Department Stores National Bank/Macys, Bankruptcy Processing, Po Box 8053,  
Mason, OH 45040-8053  
14320167 ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408  
13973480 +Elderton State Bank, 143 N. Main St., PO Box 427, Elderton, PA 15736-0427  
14121087 JTS Capital 1, LLC, P O Box 4356 Dept 1901, Houston TX 77210-4356  
13944086 Kay Jewelers, 175 Grant Rd, Akron, OH 44333  
13944088 Nelnet, 3015 S PARKER RDSTE 400, Denver, CO 80201  
13967269 +Nelnet on behalf of PHEAA, PA Higher Education Assistance Agency, PO Box 8147,  
Harrisburg, PA 17105-8147  
13954299 +S&T Bank, 355 North 5th Street, Indiana, PA 15701-1940  
13954300 S&T Bank, c/o Brian M. Kile, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor,  
Pittsburgh, PA 15222  
13944094 +United Consumer Fin Svc, 865 Bassett Rd, Westlake, OH 44145-1194  
14002976 WORLD'S FOREMOST BANK, CABELA'S CLUB VISA, PO BOX 82609, LINCOLN, NE 68501-2609  
13944095 +WORLD'S FOREMOST BANK, 4800 NW 1ST ST STE 300, Lincoln, NE 68521-4463

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 22 2017 03:13:45  
Capital One Auto Finance, C/O Ascension Capital Group, P.O. Box 201347,  
Arlington, Tx 76006-1347  
cr E-mail/PDF: rmscedi@recoverycorp.com Mar 22 2017 03:04:10  
Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,  
Miami, FL 33131-1605  
cr +E-mail/Text: bnc@bass-associates.com Mar 22 2017 03:14:36  
United Consumer Financial Services, Bass & Associates, P.C.,  
3936 E. Ft. Lowell Rd., Ste. 200, Tucson, AZ 85712-1083  
13944077 +E-mail/Text: ally@ebn.phinsolutions.com Mar 22 2017 03:14:37 Ally Financial,  
PO Box 380901, Minneapolis, MN 55438-0901  
13948617 E-mail/Text: ally@ebn.phinsolutions.com Mar 22 2017 03:14:37  
Ally Financial serviced by Ally Servicing LLC, PO Box 130424, Roseville, MN 55113-0004  
13999798 +E-mail/Text: bncmail@w-legal.com Mar 22 2017 03:15:36 CERASTES, LLC,  
C O WEINSTEIN AND RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
13978319 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 22 2017 03:20:59  
Capital One Auto Finance, c/o Ascension Capital Gr, P.O. Box 201347,  
Arlington, TX 76006-1347  
13995694 +E-mail/Text: bnc@bass-associates.com Mar 22 2017 03:14:36 Cavalry Spv I, LLC,  
c/o Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200, Tucson, AZ 85712-1083  
13968847 E-mail/Text: camanagement@mtb.com Mar 22 2017 03:14:53 M&T BANK, PO BOX 1288,  
Buffalo, NY 14240  
13944087 E-mail/Text: camanagement@mtb.com Mar 22 2017 03:14:53 M&T Bank, P.O. Box 64679,  
Baltimore, MD 21264  
14289574 E-mail/Text: camanagement@mtb.com Mar 22 2017 03:14:53 M&T Bank, P.O. Box 840,  
Buffalo, NY 14240-0840  
13944089 +E-mail/PDF: cbp@onemainfinancial.com Mar 22 2017 03:04:07 Onemain Financial,  
6801 Colwell Blvd, Irving, TX 75039-3198  
13999724 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Mar 22 2017 03:13:45  
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
13949267 E-mail/Text: RVSVCBICNOTICE@state.pa.us Mar 22 2017 03:15:11  
Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,  
Harrisburg, PA 17128-0946  
13966934 E-mail/Text: bnc-quantum@quantum3group.com Mar 22 2017 03:14:57  
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
13994674 E-mail/Text: bnc-quantum@quantum3group.com Mar 22 2017 03:14:58  
Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788,  
Kirkland, WA 98083-0788  
13954118 E-mail/Text: bnc-quantum@quantum3group.com Mar 22 2017 03:14:58  
Quantum3 Group LLC as agent for, Sterling Jewelers Inc, PO Box 788,  
Kirkland, WA 98083-0788

District/off: 0315-2

User: jhel  
Form ID: 149

Page 2 of 2  
Total Noticed: 47

Date Rcvd: Mar 21, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

13949073 E-mail/PDF: rmscedi@recoverycorp.com Mar 22 2017 03:04:10  
Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,  
Miami, FL 33131-1605  
13944090 +E-mail/PDF: gecsed@recoverycorp.com Mar 22 2017 03:04:07 SYNCB/JC PENNEY, PO BOX 965007,  
Orlando, FL 32896-5007  
13944091 +E-mail/PDF: gecsed@recoverycorp.com Mar 22 2017 03:04:22 SYNCB/Lowes, PO Box 965005,  
Orlando, FL 32896-5005  
13944092 +E-mail/PDF: gecsed@recoverycorp.com Mar 22 2017 03:04:22 SYNCB/SAMS, PO BOX 965005,  
Orlando, FL 32896-5005  
13944093 +E-mail/PDF: gecsed@recoverycorp.com Mar 22 2017 03:04:07 Syncb/Walmart, PO BOX 965024,  
Orlando, FL 32896-5024

TOTAL: 22

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr M&T BANK  
cr\* ECMC, P.O. BOX 16408, ST. PAUL, MN 55116-0408  
cr\* JTS Capital 1, LLC, P O Box 4356, Dept 1901, Houston, TX 77210-4356  
cr\* +S&T Bank, 355 North 5th Street, Indiana, PA 15701-1940  
13944078\* +Ally Financial, PO Box 380901, Minneapolis, MN 55438-0901

TOTALS: 1, \* 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 23, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 21, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor M&T BANK agornall@goldbecklaw.com,  
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com  
Brett A. Solomon on behalf of Creditor Ally Financial bsolomon@tuckerlaw.com,  
dparanay@tuckerlaw.com/apetronchak@tuckerlaw.com/agilbert@tuckerlaw.com  
Brian M. Kile on behalf of Creditor JTS Capital 1, LLC bkile@grenenbirsic.com,  
mcupec@grenenbirsic.com/lstanger@grenenbirsic.com  
Brian M. Kile on behalf of Creditor S&T Bank bkile@grenenbirsic.com,  
mcupec@grenenbirsic.com/lstanger@grenenbirsic.com  
James Warmbrodt on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com  
Lawrence W. Willis on behalf of Debtor Timothy D Tatsak, Jr help@urfreshstrt.com,  
urfreshstrt@gmail.com  
Lawrence W. Willis on behalf of Joint Debtor April L Tatsak help@urfreshstrt.com,  
urfreshstrt@gmail.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpggh.com,  
Equitablebankruptcy@peoples-gas.com/srk@sjwpggh.com

TOTAL: 10